

STARK&STARK

A PROFESSIONAL CORPORATION

THOMAS S. ONDER
DIRECT DIAL NUMBER
609-219-7458
DIRECT FAX NUMBER
609-895-7395
E-MAIL
tonder@stark-stark.com

ATTORNEYS AT LAW

OFFICE: 993 LENOX DRIVE LAWRENCEVILLE, NJ 08648-2389

MAILING: PO BOX 5315 PRINCETON, NJ 08543-5315

609-896-9060 (PHONE) 609-896-0629 (FAX)

WWW.STARK-STARK.COM

August 13, 2009

VIA CME/CF AND MAIL

The Honorable Jerome B. Simadle
United States District Court Judge
Mitchell H. Cohen Building
United States Court House
4th and Cooper Street
Camden, NJ 08101

**Re: FIRSTLINE NATIONAL INSURANCE COMPANY
vs. SECRET GARDEN LANDSCAPING,
Docket # 07-CV-2591**

Dear Judge Simadle:

This Firm is counsel to HSJ Properties, the movant to reopen the above-referenced matter, intervene and vacate the default judgment. HSJ Properties filed this Motion in December 2008. Although the Motion was scheduled to be heard and decided on January 20, 2009, counsel to First Firstline National Insurance Company (the "Insurance Company") filed late opposition the date of the hearing. No decision has been made since.

Currently, there is a state court action that is the subject of HSJ Properties' Motion to reopen the case, intervene and vacate the default judgment. The state court action is scheduled for **trial on September 21, 2009** in Camden County. Attached is a copy of the trial notice. Further, the state court has scheduled a pre-trial status conference on August 24, 2009. Attached is a copy of the conference notice.

Due to the pending state court trial date and status conference, we would request that the District Court provide a decision on the motion or in the alternative a hearing date on this matter prior to September 21, 2009 trial date. It is of vital importance that HSJ Properties be permitted to reopen this matter, intervene and vacate the default judgment as it received no notice of the complaint until after judgment had been entered.

Respectfully submitted,

STARK & STARK
A Professional Corporation

By: _____

THOMAS S. ONDER

TSO/das
Enclosure
cc: Service List

CAMDEN SUPERIOR COURT
HALL OF JUSTICE
101 SOUTH 5TH STREET
CAMDEN NJ 08103-4001

TELEPHONE: (856) 379-2200
8:30 AM - 4:30 PM
CV0155

JUNE 16, 2009

DOCKET: CAM - L - 005411-05
HSJ PROPERTIES LLC VS SECRET GARDEN LANDSCAPING

A SETTLEMENT CONFERENCE WITH JUDGE IS SCHEDULED FOR THIS CASE
ON AUGUST 24, 2009 AT 09:00AM BEFORE JUDGE MICHELE M FOX.

PLEASE REPORT TO: COURT ROOM: 31

THOMAS ONDER
STARK & STARK
PO BOX 5315
PRINCETON NJ 08543-5315

CAMDEN SUPERIOR COURT
HALL OF JUSTICE
101 SOUTH 5TH STREET
CAMDEN NJ 08103-4001

TELEPHONE: (856) 379-2200
8:30 AM - 4:30 PM

CV00175

JUNE 15, 2009

DOCKET: CAM - L - 085411-05
HSJ PROPERTIES LLC VS SECRET GARDEN LANDSCAPING

A TRIAL IS SCHEDULED FOR THIS CASE ON SEPTEMBER 21, 2009 AT 09:00AM
BEFORE JUDGE MICHELLE M FOX.

ADJOURNMENT REQUESTS MUST BE RECEIVED IN WRITING NO LATER THAN WED. PRIOR TO
TRIAL DATE DETAILING REASON, CONSENT AND AGREED NEW DATE.

PLEASE REPORT TO: COURT ROOM: 31

THOMAS S ONDER
STARK & STARK
PO BOX 5315
PRINCETON NJ 08543-5315

FIRSTLINE NATIONAL
INSURANCE COMPANY

Plaintiff,

vs.

SECRET GARDEN
LANDSCAPING,

Defendant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CASE NO. 07-CV-2591 (JS)

CERTIFICATION OF SERVICE

I, Thomas S. Onder, an attorney of Stark & Stark, P.C. state as follows:

1. I caused a copy of the attached letter to be served via regular mail on August 13, 2009:

First National Insurance Company
(an affiliate of Harford Mutual Insurance
Company)
c/o Michael W. Horner, Esq.
White & Williams LLP
457 Haddonfield Road, Suite 400
Cherry Hill, NJ 08002

Secret Garden Landscaping
c/o James Carter, Esquire
Hoffman D. Muzido, Esquire
25-35 Hunter Street
P.O. Box 7
Woodbury, NJ 08096

Mr. Leo Hagerty
c/o Victor Druziako, Esquire
1841 W. Landis Avenue
Vineland, NJ 08360

Secret Garden Landscaping
(Harford Mutual Insurance Company)
c/o Tiffany Turner, Esq. and
Natasha Abel, Esquire
Dickie McCamey & Chilcote, P.C.
Public Ledger Building, Suite 901
150 South Independence Mall West
Philadelphia, PA 19106-3409

Jersey Construction, Inc.
c/o Frank P. Menaquale, Jr.
Michael J. Dunn, LLC
Two Executive Campus, Suite 402
2370 Route 70
Cherry Hill, NJ 08002

2. I caused an original and one copy of the attached letter to be served on the Clerk of the United States District Court, District of New Jersey to for the chambers of The Honorable Joel Schneider, United States Magistrate Judge, Mitchell H. Cohen Building and United States Court House, 4th and Cooper Street, Camden, NJ 08101 on August 13, 2009.

/S/ THOMAS S. ONDER
THOMAS S. ONDER

STARK & STARK
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
MAILING ADDRESS
PO BOX 5315
PRINCETON, NJ 08543-5315